

Clarification

In the reply brief filed on 4/4/2008, the appellant categorizes the Examiner's Answer issued on 2/5/2008 as an improper supplemental Examiner's Answer. This is a wrong categorization. Note that the Examiner's Answer mailed on 2/5/2008 **is not a supplemental Examiner's Answer**, rather it is a substitute Examiner's Answer. **The Examiner's Answer issued on 2/5/2008 was written in response to an Order dated 12/20/2007 which instructed on page 2 that the "examiner will need to vacate the Examiner's Answer mailed August 7, 2007."** In the Examiner's Answer mailed on 2/5/2008, the examiner inadvertently failed to state this Order and failed to state that the previously mailed Examiner's Answers were vacated in view of the new grounds of rejection approved by the Director.

Please take note at this time that the Examiner's Answers mailed on 6/27/2007 and 8/7/2007 are hereby vacated. **Therefore, the Examiner's Answer mailed on 2/5/2008 properly contains new grounds of rejection approved by the TC Director. The Examiner's Answer mailed on 2/5/2008 is not a supplemental Examiner's Answer.**

Examiner apologizes for any inconveniences this might have caused.

Reply Brief Noted

The reply brief filed on 4/4/2008 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal. FP 12.181.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHISH K. THOMAS whose telephone number is (571)272-0631. The examiner can normally be reached from 9:00 a.m. - 5:30 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached at 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ashish K Thomas/
Examiner, Art Unit 2625

/David K Moore/
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